

# MICRA

## Preserving Healthcare Access and Affordability

California's Medical Injury Compensation Reform Act (MICRA) ensures injured patients receive fair compensation while preserving patients' access to healthcare by keeping doctors, nurses and healthcare providers in practice and hospitals and clinics open. MICRA has saved healthcare consumers tens of billions of dollars. Any changes to MICRA would be most devastating to specialty services like OBGYNs, emergency providers, community clinics, and rural health providers who remain particularly vulnerable to any liability increases or weakening of MICRA's reforms.

### PROTECTING ACCESS TO ALL HEALTHCARE SERVICES – ESPECIALLY WOMEN'S SERVICES, COMMUNITY CLINICS AND RURAL PROVIDERS

- Prior to MICRA, California was facing a crisis: Out-of-control medical liability costs were forcing clinics, doctors, OBGYNs and other healthcare providers to leave the practice altogether.
- MICRA has helped stabilize liability costs – preserving access to thousands of physicians, nurses, hospitals, clinics, dentists and other healthcare providers.
- In particular, MICRA protects specialty and high-risk services, including women's services, community clinics and rural providers that can least afford skyrocketing insurance costs.
- States without medical liability reform suffer from shortages of providers leading to the closing of hospitals, clinics and trauma centers and leaving patients with no doctors in their immediate vicinity.

### PROTECTING AGAINST RISING HEALTHCARE COSTS

- MICRA has saved healthcare consumers tens of billions of dollars by protecting against runaway damage awards.
- Increasing the amount of non-economic damages allowed under MICRA from \$250,000 to \$500,000 **would raise healthcare costs in California by at least \$7.9 billion annually**, according to a 2008 report by California's former nonpartisan legislative analyst. That translates into \$1,032 annually for a family of four.

### PROTECTING PATIENTS' RIGHTS AND PRESERVING ACCESS TO THE COURTS

- MICRA preserves patients' access to fair compensation when they have justifiable claims, including:

<b>UNLIMITED</b>	Economic damages for all past and future medical costs.
<b>UNLIMITED</b>	Economic damages for lost wages, lifetime earning potential and for any other conceivable economic losses.
<b>UNLIMITED</b>	Punitive damages, which seek to punish a defendant.
Only speculative non-economic damages, sometimes called pain and suffering awards, are limited to \$250,000.	

- Under MICRA, the average size of medical liability awards in California has increased faster than the rise in inflation.
- MICRA limits attorneys' fees so patients, not lawyers, receive more from awards. From 1999-2006 more than \$190 million in high damage awards was redirected from lawyers to patients as a result of MICRA.

### SUPPORTED BY A LARGE AND DIVERSE COALITION OF PATIENT ADVOCATES AND HEALTHCARE PROVIDERS

- CAPP is made up of healthcare professionals and organizations that represent community clinics, patient advocates, physicians, nurses, dentists, hospitals, and women's health advocates.
- Organizations supporting MICRA include the California Medical Association, California Hospital Association, California Dental Association, Planned Parenthood Affiliates of California, Community Clinic Association of Los Angeles County, La Clinica de La Raza, American College of Obstetricians and Gynecologists, California Academy of Family Physicians, American Academy of Pediatrics (CA), American College of Emergency Physicians (CA), American Nurses Association (CA), Association of California Nurse Leaders, California Association for Nurse Practitioners, and many others.